

Housing Act 1985 Section 105 consultation report	Campsbourne Estate, N8
Date	November 2021

1. Introduction

- 1.1 Under the Housing Act 1985 Section 105, Haringey Council (the Council) has a legal obligation to consult its secure tenants on matters of housing management such as changes to the management, maintenance, improvement or demolition of houses let by them or changes in the provision of services or amenities.
- 1.2 In November 2020, the Council launched a Section 105 (of the 1985 Housing Act) consultation based on proposals for a new housing development on Campsbourne estate which would result in changes to the amenities of secure tenants in the area.
- 1.3 This report:
 - Outlines the proposals put forward by the Council and their impact on the amenities for secure tenants in the area.
 - Provides an overview of the consultation process conducted by the Council in accordance with its legal obligations under the Housing Act 1985 Section 105.
 - Summarises the results and outcome of the consultation.

2. Proposals

2.1 The Council is proposing to:

- Remove 24 parking bays adjacent to Wat Tyler House, Boyton Road on the Campsbourne estate.

2.2 The Council is proposing to use land to build 15 new homes to be let at council rents.

2.3 Given secure tenants will be losing an amenity (2.1) a Housing Act 1985 Section 105 consultation was required.

2.4 The Council consulted 187 households in addition to consulting with secure tenants as required by law, the above figure also includes resident and non-resident leaseholders. The Council consults leaseholders as part of Section 105 consultations as a matter of good practice.

2.5 The tenure of the households consulted is outlined below:

Scheme	Secure Tenants	Leaseholders
Campsbourne Estate, N8	145	42

2.6 The consultation period lasted from 2 November 2020 until 13 December 2020. Information provided included:

- A consultation pack posted to consultees which included an outline of the impact of the proposed developments on their affected amenities and a selection of site location plans, indicative plans and associated images. A consultation questionnaire, an equality and diversity questionnaire and a stamped addressed envelope was provided so consultees could respond by post. Contact details were provided so consultees could request further information or ask for the materials in a different format. Non-resident leaseholders received a notification of the consultation at both their home address and the address of their property included in this consultation.
- The information and materials detailed above were also placed on the Council's website.
- Two online engagement sessions were held for consultees and the wider community on:
 - Wednesday 18 November 2020 at 6pm
 - Thursday 26 November 2020 at 1pm
- The recordings of the events were available on the Council's website immediately after the close of the close of each event. These recordings are available on the Council website until a decision is taken to proceed with construction or the scheme is withdrawn from the programme.
- A reminder letter about the consultation and the second engagement event was sent to residents on 19 November 2020.

3. Consultation response

3.1 A breakdown of the consultation responses by tenure is outlined below:

Overall consultation audience	Number of responses	Number of secure tenant responses	Number of leaseholder responses
187	30	20	10

3.2 To understand use of the parking bays, consultees were asked:

- Do you use the parking bays?
- If you answered yes, how often do you use them?

3.3 Responses from consultees are outlined below. Please note that some consultees did not complete every section of the questionnaire.

Number of overall responses to the consultation	Answered “yes” when asked if they used the parking bays	Answered “Daily” when asked to describe their use of the parking bays	Answered “Weekly” when asked to describe their use of the parking bays	Answered they used it when “Family/friends/a carer” visiting
30 (20/10)	19 (13/6)	14 (10/4)	4 (3/1)	1 (0/1)

(Secure tenants/leaseholders)

3.4 To judge the impact of the proposed changes on secure tenants and leaseholders, consultees were asked:

- What impact would the proposals to remove the parking bays have on you?
- If the proposal to remove the parking bays goes ahead, do you have any suggestions for alternative provision?
- Do you have any other comments you would like the council to take into consideration when making decisions around the proposal to remove the parking bays?

3.5 The answers to these questions are summarised in the below table, including the Council’s response. Please note:

- This is a summary of the relevant comments submitted in relation to the terms of the Section 105 consultation.
- This is not a record of every comment received. Individual comments on the same topic have been noted as one entry in the table.

Consultation comment	Considerations and response
<p>Loss of amenity and local car parking capacity</p> <p>Concerns were raised about the potential negative impact on residents and the local community from the loss of this amenity,</p> <p>Specific issues raised included:</p> <ul style="list-style-type: none"> • Parking was already a problem in the area, with limited capacity for existing residents, especially on Boyton Road. Removing the bays could result in residents facing difficulties obtaining a bay to park their car. • The loss of car parking capacity could result in residents facing longer commutes to and from work, as extra time would be required to find a parking bay. • Extra congestion in the surrounding area would be caused by a reduction in parking bays as cars attempted to find a space in the area and more vehicles were concentrated in an already over saturated locality. • The loss of access to a car parking bay could result in additional difficulties for those residents who have health challenges, particularly for carers who needed a bay to park their vehicle. • The additional homes would result in more cars being added to the area. This would compound the issues already created by the loss of car parking space in the area and the existing parking capacity issues which have been related above. 	<p>The Council does appreciate that adequate car parking provision is an important priority for residents on the Campsbourne estate.</p> <p>The Council will take the following steps to address the concerns raised by residents:</p> <ul style="list-style-type: none"> • A Transport Assessment will be carried out, including parking surveys that will assess the impact the proposed development may have on local highway and parking conditions. • The Transport Assessment will help shape the proposed density of the suggested development, the provision of car parking and other appropriate mitigation measures to ensure that local parking conditions are not adversely affected should proposals progress. It should be noted that the site is already accessible to local amenities including public transport. Wood Green and Hornsey town centres are within walking distance. • The Council commits to the provision of new communal cycle parking facilities for existing residents and those in the new block to encourage more sustainable modes of travel and alternatives to car use.

3.6 Additional comments were received regarding the potential impact of the development which are outside the remit of this consultation. These included:

- Concerns were raised about the height of the proposed buildings and their impact on surrounding homes, including loss of light of existing properties.
- Comments were received that the Council should prioritise improving existing housing stock rather than building new homes.

- Suggestions were made that the Council should consider an infill project underneath Wat Tyler House instead of the proposals for new homes on the existing car parking site.

These comments will be considered as proposals for this site are further developed. The Council has undertaken a community engagement exercise with residents in early 2021 in which these issues were explored in more depth.

3.7 Across both online engagement events, a total of three attendees joined the sessions. Comments made during these events have been captured in 3.5 and 3.6.

4. Equality and Diversity

4.1 Under the public sector equality duty outlined in the Equality Act 2010, the Council must have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Equality Act 2010
- Advance equality of opportunity between people who share a relevant protected characteristic and people who do not
- Foster good relations between people who share a relevant protected characteristic and people who do not

4.2 The public sector equality duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In relation to the protected characteristic of marriage and civil partnership, the Council only needs to comply with the first aim of the duty.

4.3 The report outlines proposals to build new homes and remove parking spaces. The Council has undertaken a consultation on these proposals with residents who may be affected. The results of the consultation and an assessment of the potential impact were assessed in an Equality Impact Assessment (EqIA) for this project.

4.4 There is potential for both positive and negative impacts of these proposals. Provision of new homes may be considered a positive for people who need a council home. Removal of a parking space may be considered a negative for older or disabled people who are more reliant on private vehicle use. As noted in the EqIA, the Council monitors feedback and consultation responses to assess the likelihood of these potential negative impacts and mitigate where reasonable and proportionate.

5. Assessment

5.1 The responses received during the Section 105 consultation have been considered by the Council. Responses to comments from residents have been answered in 3.5.

5.2 It is acknowledged that the removal of the parking bays could have a negative impact on residents, however, the delivery of new homes could be an overall benefit to the wider community. As a result of the feedback received during the S105 consultation, the Council will:

- Undertake additional transport assessments to understand the impact of the removal of the 24 parking bays on the local area.
- Commit to the provision of additional of new cycle storage spaces for existing residents on the Campsbourne estate.

6. Recommendations

6.1 Based on responses received from the consultation, the Council recommends that:

- The mitigations outlined in 3.5 in response to the feedback from residents regarding the loss of spaces under these proposals are reasonable and fair.
- The Council's commitments outlined in 3.5 should be implemented. This includes a Transport Assessment of the area, as outlined in 2.1, should be included in future for the development.
- Proposals should proceed as outlined in 2.1.